

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:07-CV-21-FDW-DCK**

**JOHNNIE MAE ROBINSON,**

**Plaintiff,**

**vs.**

**PRESBYTERIAN WOUND CARE  
CENTER,**

**Defendant.**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** following a status conference held at 2:30 p.m. on June 24, 2008. Due to the unavailability of United States District Judge Frank D. Whitney, this matter came before the undersigned to further explain to the parties' their obligations under the "Case Management Order" (Document No. 30) ("CMO") filed September 25, 2007 to *jointly* draft and submit the required pretrial submissions. The nature and requirements of said pretrial submissions can be found in section four of the CMO. (Document. No. 30 at 9-13). Despite the fact that the CMO was docketed over nine (9) months ago and that the parties were reminded of their obligations by Judge Whitney during a pretrial conference on June 9, 2008, the joint submissions have not been made. Instead, Defendant has submitted its draft, along with a statement that it had attempted to confer with Plaintiff to no avail.

At the status conference, Plaintiff stated that she did not receive Defendant's draft until June 18, 2008, and that she was incapable of reviewing it by June 20, 2008. While the undersigned is sympathetic to Plaintiff, who is proceeding *pro se*, the fact is that she was required not only to review and comment on Defendant's draft, but to **jointly** draft the submissions with Defendant. Defendant

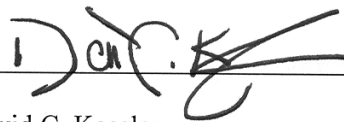
completed the entire draft, which Plaintiff had but to review and either accept or state the places where she disagreed. Plaintiff did not do this, and the Court felt it necessary to reinforce her duties under the CMO.

Thus, the undersigned ordered Plaintiff that she must, on or before **July 1, 2008**, confer with Defendant and submit a complete set of the required pretrial submissions to the Court. Plaintiff must do this whether or not she is able to secure the assistance of counsel. Failure to comply with the CMO and this Order may result in sanctions against Plaintiff, such as the preclusion of certain witnesses or evidence at trial.

In addition, the parties are again reminded that the case is set for jury selection and trial at **9:00 a.m. on July 14, 2008** in Courtroom #1 of the Charles R. Jonas Federal Building in Charlotte, North Carolina.

**SO ORDERED.**

Signed: June 25, 2008

  
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David C. Keesler  
United States Magistrate Judge

